

## Farah Bhatti

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Shareholder

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### Areas of Practice & Industry Specialties

Intellectual Property Law; Automotive; Internet Law, E-Commerce & Social Media; Start-Ups & Early Stage Companies; Apparel & Consumer Products; Health Care/Life Sciences; Technology; Agribusiness



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Farah Bhatti is a Shareholder and the Chair of the Internet, E-Commerce, and Social Media Practice Group. She focuses her practice on all aspects of trademark prosecution, including advising, counseling, and securing trademark protection for clients, with an emphasis on the worldwide selection and enforcement of trademarks. She also works closely with clients in formulating their domestic and international trademark protection and registration strategies. Ms. Bhatti also counsels and works with clients with regard to Federal trademark litigation and oppositions and cancellations proceedings before the Trademark Trial and Appeal Board.

Ms. Bhatti expertly navigates the complexities of issues within the areas of registration and enforcement, drawing on experience in private practice as well as her previous position as a trademark examining attorney at the U.S. Patent and Trademark Office (USPTO). While there, she examined more than 2,000 trademark applications and represented the USPTO before the Trademark Trial and Appeal Board (TTAB). She also has extensive experience in the enforcement of Internet and domain names, through the implementation of strategies ranging from cease and desist letters, Uniform Domain Name Dispute Resolution Policy (UDRP) complaints, individual website complaint procedures and even trademark litigation under the Anticybersquatting Consumer Protection Act (ACPA). Ms. Bhatti has been successful in obtaining substantial statutory damages and attorneys' fees on behalf of clients under the ACPA.

Recently, Ms. Bhatti has gained substantial experience in working with clients in the NFT (Non-fungible tokens) space by not only filing copyright and trademark applications to cover the underlying intellectual property of NFTS but also with regard to licensing and other agreements relating to NFTs.

Ms. Bhatti has worked with a variety of clients in several different industries, including the food and beverage industry, branded fruits, restaurants, semiconductors, chemicals, medical devices, pharmaceuticals, consumer products, consulting services, software, apparel and many others.

Ms. Bhatti frequently speaks on the topic of trademark protection at seminars, including those geared toward the fashion industry. She has been recognized as a World Intellectual Property Review (WIPR) Leader in 2018, 2019 and 2020. Recently, Ms. Bhatti was appointed to the INTA Public Interest Committee and the Social Media Sub-Committee. She has also previously served as a member for the INTA Internet Committee.

### Select Experience

- Manages large U.S. and international trademark portfolios for consumer electronics clients, machine tool manufacturers, software and hardware companies, chemicals clients, apparel companies, clients in the food and beverage industry, restaurants and other industries. She has been involved in enforcement

actions, TTAB proceedings such as oppositions, cancellations, and ex parte appeals and federal litigation. Ms. Bhatti also represents clients before the USPTO in obtaining trademark registration.

- Experience with NFT protection and agreements relating to underlying NFT IP issues.
- Provides advice, counseling, and implements strategies and systems for Internet enforcement of trademarks.
- Provides litigation advice and support for cases involving trademarks and copyrights, and matters involving the protection, registration, and enforcement of copyrights. Formulates strategies for proceeding with enforcement and other intellectual property issues.
- Successfully represented clients in Uniform Domain-Name Dispute-Resolution Policy (UDRP) complaints and other adverse proceedings involving trademarks and copyrights.
- Provides counseling, strategy, and litigation support to clients interested in litigating under the ACPA against domain infringers/cybersquatters.

### **Publications**

- Buchalter COVID-19 Client Alert: Excusable Non-Use of U.S. Trademarks in the Time of COVID, *Buchalter Client Alert*, July 10, 2020
- Trademarks 101 for Startups-Basic Strategies, July 23, 2018
- Upcoming Changes to Trademark Prosecution In the European Union, *Westlaw Journal*, March 30, 2016
- Trademarks 101 for Start-ups: Basic Strategies, *Buchalter Nemer Technology Industry Newsletter*, January 2016
- From Phonograph Records to Musical Sound Recordings: USPTO's Pilot Program May Bring Life to Outdated Registrations, *Intellectual Property Magazine*, December 8, 2015
- Are Infringers Hacking Your Brand? Take These Simple Steps to Protect Your Company, *California Apparel News*, March 20, 2014
- Rainmaker Q&A: Buchalter's Farah Bhatti, *Law360*, October 11, 2013
- Protecting Your Products in Light of the U.S. Supreme Court's Holding That A Copyright Owner Only Controls the "First Sale" of a Copy No Matter Where That Sale Occurred, *Buchalter Nemer Client Alert*, April 2013
- Fashion Companies: A Step-By-Step Guide to Protection, *Buchalter Nemer Points & Authorities*, Fall 2012
- Case Study: Louboutin V. Yves Saint Laurent, *Law360*, September 11, 2012
- How IP Law Impacts the Fashion Industry, *The World's Foremost Authorities on IP Law, ExecSense*, August 30, 2012
- Analyzing Your Client's Trademark Protection and Infringement Concerns in the Global and Cyberspace Markets, *Recent Trends in Trademark Protection*, March 9, 2012

### **Presentations**

- Panelist, "Sourcing 101," ASD Market Week, March 22, 2020
- Panelist, "Farah Bhatti, Panelist at the MIP International Women's Leadership Chicago Forum," Chicago, IL, September 12, 2019
- Speaker, "Farah Bhatti, Panelist and Speaker at SourceDirect at ASD," Las Vegas, NV, March 17, 2019
- Speaker, "Farah Bhatti, Speaker at the American Bar Association's Annual Forum on the Entertainment & Sports Industries," Las Vegas, NV, October 6, 2018
- Panelist, "Farah Bhatti, Panelist at SourceDirect at ASD," Las Vegas, NV, July 29, 2018
- Panelist, "Westworld: Further Beyond Frontier Law," Comic-Con International: San Diego, July 19, 2018

- Speaker, "2017 Trademark Year in Review," Beverly Hills Bar Association, January 25, 2018
- Speaker, "16th International Trademark Conference 2017," Alicante, November 8, 2017
- Speaker, "Intellectual Property Demystified: Patents and Trademarks 101," Silicon Valley Entrepreneurs & Startups, October 25, 2017
- Speaker, "Westworld: Beyond Frontier Law," Comic-Con International: San Diego, July 22, 2017
- Speaker, "Online Trademark and Brand Protection," 15th International Trademark Conference in Alicante, Spain, March 10, 2016
- Speaker, "Brand protection and enforcement, types of legal actions, practical issues relating to monitoring and enforcement," Trademark and Social Media conference in Frankfurt, Germany, March 7, 2016
- Speaker, "Selling Technology Companies: Key Issues, Tips, and Strategies," Bloomberg BNA Webinar, February 26, 2016

### **Webinars**

- "Strafford Webinar: Nonuse of Trademarks Due to Economic Hiatus," November 5, 2020

### **Education**

Ms. Bhatti earned her J.D. at St. John's University School of Law, her LL.M at the University of Houston Law Center, and her B.A. at the State University of New York at Albany.

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### **Bar Admissions**

- California
- New York

### **Court Admissions**

- U.S. Court of Appeals for the Ninth Circuit
- U.S. District Court for the Central District of California
- U.S. District Court for the Southern District of California
- U.S. District Court for the Northern District of California
- U.S. District Court for the Southern District of New York

### **Languages**

- Hindi
- Punjabi
- Urdu